

STATE OF NEVADA

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BRENT C. ECKERSLEY, ESQ., Vice-Chairman
SANDRA MASTERS, Board Member



BRUCE BRESLOW
Director

BRUCE K. SNYDER
Commissioner

MARISU ROMUALDEZ ABELLAR
Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD**

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March 12, 2015

**MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

A meeting of the Local Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on Tuesday, March 10, 2015, and continuing on Wednesday, March 11, 2015, at the hour of 8:00 a.m. at the offices of the Local Government Employee-Management Relations Board, 2501 E. Sahara Avenue, Suite 203, Las Vegas, Nevada 89104.

The following Board members were present:

Philip E. Larson, Chairman
Brent C. Eckersley, Esq., Vice-Chairman
Sandra Masters, Board Member

Also present:

Bruce K. Snyder, Commissioner
Scott Davis, Esq., Deputy Attorney General
Marisu Romualdez Abellar, Board Secretary

Members of the Public Present:¹

R. Calder Huntington, Esq., RTC-Washoe County

The Agenda:

PRELIMINARY MATTERS

1. Call to Order

The Board meeting was called to order by Philip E. Larson, Chairman, on Tuesday, March 10, 2015, at 8:00 a.m.

2. Public Comment

No public comment was offered.

¹ Apart from those attending the hearing (item 4).

3. Approval of the Minutes

The Board approved the minutes as presented for the Board meeting held February 10-12, 2015.

CASES

HEARING CALENDAR

4. Consolidated Case A1-046111

Justin Simo v. Henderson Police Officers Association

The hearing on the case was held by the Board. At the close of the hearing the Board deliberated on the case. Upon motion the Board held that the Respondent had not breached its duty of fair representation with respect to not submitting the portion of the 2013 grievance related to the accident but had breached its duty of fair representation by not submitting that portion of the 2013 grievance relating to the truthfulness allegation against the Complainant by the City of Henderson, inasmuch as this allegation labelled the Complainant as a "Brady" cop and that, therefore, the Respondent should have submitted this portion of the grievance. The Board thereupon ordered Respondent to take steps to submit and process the grievance. Respondent was also ordered to post a notice at its office for 30 days.

STIPULATION CALENDAR

5. Case A1-046108

Las Vegas City Employees Association & Val Sharp v. City of Las Vegas

Upon motion, the Board granted the Stipulation and Order to Extend Time to File Post-Hearing Briefs, as presented. The new due date for submittal of the post-hearing briefs is March 27, 2015.

6. Consolidated Cases A1-046054 & A1-046080

North Las Vegas Police Supervisors Association v. City of North Las Vegas and City of North Las Vegas v. North Las Vegas Police Supervisors Association

Upon motion, the Board granted the Stipulation and Order to Dismiss, with prejudice, with each side responsible for its own fees and costs.

7. Case A1-046102

North Las Vegas Police Supervisors Association v. City of North Las Vegas

Upon motion, the Board granted the Stipulation and Order to Dismiss, with prejudice, with each side responsible for its own fees and costs.

8. Case A1-046125

North Las Vegas Police Supervisors Association v. City of North Las Vegas

Upon motion, the Board granted the Stipulation and Order to Dismiss, with prejudice, with each side responsible for its own fees and costs.

CALENDAR FOR MISCELLANEOUS MATTERS RELATED TO CASES

9. **Case A1-045735**
International Brotherhood of Teamsters, Local 14, AFL-CIO v. Clark County School District and Education Support Employees Association
Upon recommendation by the Commissioner, the Board held this item in abeyance until the April Board meeting.
10. **Consolidated Cases A1-045847 to A1-045864**
Deborah Boland et al. v. Service Employees International Union, Local 1107
After deliberating on the case, the Board came to the following motion, which was approved: (1) that the Respondent had not breached its duty of fair representation by withdrawing as the exclusive bargaining agent of the bargaining unit; (2) that an exclusive bargaining agent has a duty to avoid or mitigate any material adverse effects on the client due to the withdrawal; (3) that the Respondent did breach its duty of fair representation by not continuing to process any outstanding grievances upon its withdrawal, and that failing to do so, resulted in material adverse effects for the client; and (4) that Respondent is to take steps to mitigate those material adverse effects.
11. **Case 2015-002**
Regional Transportation Commission of Washoe County v. American Federation of State, County, and Municipal Employees, Local 4041, RTC North Chapter
Upon motion, the Board granted the Petition for Permission to Withdraw Union Recognition, thus making the employees in the administrative bargaining unit to no longer be represented by any union.
12. **Cases in the Queue for Future Hearing or Settlement Conference**
Upon motion, the Board decided to hear A1-046119, Shannon D'Ambrosio v. Las Vegas Metropolitan Police Department, noting that the parties have already agreed to allow the case to be the backup case for the months of April, May and June.

Upon motion, the Board agreed to hear A1-046130, SEIU, Local 1107 v. Clark County and that this case, per recommendation by the Commissioner, would be heard in July.

Upon motion, the Board agreed to hear A1-046133, SEIU, Local 1107 v. Southern Nevada Regional Housing Authority and that this case, per recommendation by the Commissioner, would be heard in August.

Upon motion, the Board agreed to stay any further proceedings in A1-046127, Laws, Quick and Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department and A1-046140, Sazer and Las Vegas Police Protective Association v. Las Vegas Metropolitan Police Department, until the Nevada Supreme Court has rendered its decision in Case No. 65102, Las Vegas Metropolitan Police Department v. Jenkins.

The Board tabled under a future meeting consideration of any other cases currently in the queue.

GENERAL AGENCY MATTERS

13. Schedule of Future Board Meetings

The Board reviewed the proposed schedule and made changes to the following for 2015:

<u>Dates</u>	<u>Location</u>	<u>Hearings on Cases</u>
April 7, 8 & 9, 2015	Las Vegas	A1-046116
May 4, 5, & 6, 2015	Elko	A1-046068
June 9, 10 & 11, 2015	Las Vegas	A1-046123 & A1-046113
July 14, 15 & 16, 2015	Las Vegas	A1-046130
August 11, 12, & 13, 2015	Las Vegas	A1-046133
September 15, 16, & 17, 2015	Unknown	To be determined
October 12, 13, & 14, 2015	Unknown	To be determined
Nov. 17, 18, & 19, 2015	Las Vegas	To be determined
Dec. 8, 9, & 10, 2015	Las Vegas	To be determined

14. Report of the Deputy Attorney General

Deputy Attorney General Scott Davis gave an oral presentation on the status of the various cases either on judicial review or on appeal at the Nevada Supreme Court.

15. Reports by the Commissioner

Commissioner Snyder briefly discussed the log of open cases. He also reported that all of the local governments had now filed their annual reports and that all but nine employee organizations had filed their annual reports. Those employee organizations not filing their report by the end of the week will be turned over to the Deputy Attorney General for possible legal action.

16. Reports by the Board Chairman

Chairman Larson mentioned and Sandra Masters mentioned they had gone to Office Max and found a chair they believed would be suitable for the Board and that they had then forwarded that information to the Commissioner. It was the general consensus of the Board that staff purchase the chairs whenever funds to do so might be available.

17. Items for Future Agendas

No items were specifically requested by any of the Board members for inclusion on a future agenda.

CLOSING MATTERS

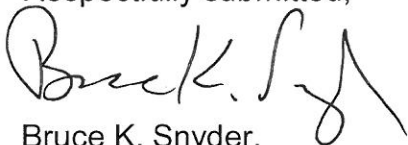
18. Comments by Board Members

No comments were made by any Board members.

19. Additional Period of Public Comment

No public comment was offered.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce K. Snyder". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Bruce K. Snyder,
EMRB Commissioner